



Entered on Docket
August 24, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

**USA COMMERCIAL MORTGAGE
COMPANY,**

Debtor.

Case No. BK-S-06-10725-LBR

CHAPTER 11

**Order Sustaining Third Omnibus
Objection Of USACM Trust To Proofs Of
Claim Based Entirely Upon Investment In
The Placer I Loan**

Hearing Date: July 26, 2011

Hearing Time: 1:30 p.m.

The Court having considered the "Third Omnibus Objection Of USACM Trust To Proofs Of Claim Based Entirely Upon Investment in The Placer I Loan ("Placer I Loan") [DE 8442] (the "Objection"); the Court having heard the Objection on July 26, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on Exhibit A does not affect the direct lenders' right to repayment

1 by the borrower or from the collateral securing the Placer I Loan; and good cause
2 appearing:

3 **IT IS ORDERED** that:

4 1. The Objection [DE 8442] is sustained; and

5 2. The claims listed on **Exhibit A** attached are disallowed in full because those
6 claims are based entirely upon an investment in the Placer I Loan.

7
8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9 **LEWIS AND ROCA LLP**

10
11 By /s/ John Hinderaker (AZ #018024)

12 Robert M. Charles, Jr.

13 John Hinderaker (*pro hac vice*)

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18 *Attorneys for USACM Liquidating Trust*

1 LOCAL RULE 9021 CERTIFICATION

2 In accordance with LR 9021, counsel submitting this document certifies that the order
3 accurately reflects the court's ruling and that (check one):

4 _____ This Court has waived the requirement set forth in LR 9021(b)(1).

5 XXX No party appeared at the hearing or filed an objection to the motion.

6 _____ I have delivered a copy of this proposed order to all counsel who
7 appeared at the hearing, and any unrepresented parties who appeared
8 at the hearing, and each has approved or disapproved the order, or
9 failed to respond, as indicated below [list each party and whether the
10 party has approved, disapproved, or failed to respond to the
11 document]:

12 Counsel appearing: _____

13 _____ I certify that this is a case under Chapter 7 or 13, that I have served a
14 copy of this order with the motion pursuant to LR 9014(g), and that
15 no party has objected to the form or content of the order

14 U.S. Trustee: <u>Augie Landis</u>	
15 <input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
16 <input checked="" type="checkbox"/> waived the right to review the 17 order and/or	<input type="checkbox"/> failed to respond to the document
18 Other Party: _____	
19 <input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
20 <input type="checkbox"/> waived the right to review the 21 order and/or	<input type="checkbox"/> failed to respond to the document

22 Submitted by:
23 LEWIS AND ROCA LLP

24 By: /s/ John Hinderaker. (AZ #-18024)
25 Attorneys for USACM Liquidating Trust

26 # # #

**Placer Vineyards I
Single Loan Claims**

Claim	Date Claim Was Filed	Name	Address	Total Claim Amount	Amount of Claim That Relates to an Investment In the Placer Vineyards I
10725-01774	12/13/2006	Larson, Gary & Dolores	544 Rolling Hills Dr Mesquite, NV 89027	153,785.00	153,785.00
10725-01350	11/13/2006	Loughlin, R	12286 Clipper Creek Rd Nevada City, CA 95959	100,000.00	100,000.00
10725-00729	11/8/2006	Louise G Sherk Md Employee Benefit Plan Trust	C/O Robert Di Bias & Louise Sherk Tees 3830 Ocean Birch Dr Corona Del Mar, CA 92625-1244	50,753.42	50,753.42
10725-01613	12/8/2006	Mcconnell Family Trust Dtd 12/3/81	James M & Maudrene F Mcconnell Tees 970 Fairway Blvd Incline Village, NV 89451	146,166.73	146,166.73
10725-00451	10/5/2006	McMichael Living Trust Dtd 12/16/88	J Richard & Karen L McMichael Tees 13840 18Th Ave Sw Burien, WA 98166-1049	52,416.00	52,416.00
10725-02243	1/12/2007	Mcquerry Family Trust	William Mcquerry 318 Singing Brook Cir Santa Rosa, CA 95409-6483	96,078.28	96,078.28
10725-00750	10/25/2006	Moore, James	2009 Willow Tree Ct Thousand Oaks, CA 91362	50,000.00	50,000.00
10725-01630	12/7/2006	Orban H. Reich Trust Dtd 12/27/00	Alan Kent Reich, Trustee Po Box 1844 Reno, NV 89505	50,000.00	50,000.00
10725-02253	1/12/2007	Peele Bypass Trust Dtd 2/10/87	Jennefer Peele Ttee 2581 Rampart Ter Reno, NV 89519	101,493.04	50,746.52
10725-02398	1/16/2007	Perez, Edwin L	301 N Lima St Burbank, CA 91505-3512	50,000.00	50,000.00
10725-00632	10/19/2006	Polachecks Jewelers Employee Psp Dtd 2/20/73	Steven Polacheck 4719 Commons Way Ste E Calabasas, CA 91302	110,000.00	110,000.00

EXHIBIT A

2400185.1